

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

<b>TERRY MIDDLETON,</b>	:	<b>No. 1:15-cv-1441</b>
<b>Petitioner</b>	:	
	:	<b>(Judge Kane)</b>
<b>v.</b>	:	
	:	
<b>CAPTAIN S. SPAULDING,</b>	:	
<b>Respondent</b>		

**ORDER**

**AND SO**, this 16th day of December 2015, **IT IS HEREBY ORDERED THAT:**

- a. Magistrate Judge Saporito's Report and Recommendation (Doc. No. 3) is **ADOPTED**;
- b. Petitioner's petition (Doc. No. 1) is **DISMISSED WITHOUT PREJUDICE** to re-filing a Section 2255 petition in the Northern District of Florida subject to the circuit pre-clearance requirements found in 28 U.S.C. § 2255(h);
- c. Petitioner's miscellaneous motions (Doc. Nos. 4, 6, 7, 8, 9) are **GRANTED**; and,
- d. The Clerk of Court is directed to close this case.

/s/ Yvette Kane  
Yvette Kane, District Judge  
United States District Court  
Middle District of Pennsylvania